

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

MAR 23 2007

DAVID J. MALAND, CLERK
BY
DEPUTY _____

JOHN GERARD QUINN,

Plaintiff,

V.

4:06cv120

JOHN ROACH, individually and in his official capacity as Collin County District Attorney, GAIL LEYKO, MANUEL GONZALES, CURTIS HOWARD, KRISTI TYLER, and MICHELLE VOIRIN, individually and in their official capacities as Collin County Assistant District Attorneys, JOSE QUILES, and FIVE JOHN DOE DEFENDANTS, individually and in their official capacities as McKinney, Texas police officers, LAURIE HOUSTON and KATIE QUINN, individually, COLLIN COUNTY, TEXAS and THE CITY OF MCKINNEY, TEXAS.

Defendants.

MEMORANDUM ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced civil action, this court having heretofore ordered this case be referred to the United States Magistrate Judge for all pretrial purposes.

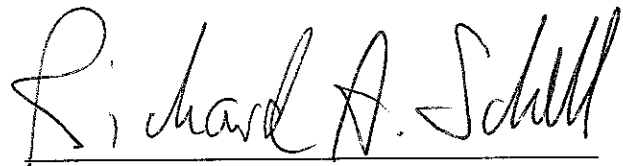
The report of the United States Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of “Collin County Defendants’ Motion to Dismiss” [Dkt. No. 64], has been presented for consideration.

The court having made a *de novo* review of the objections raised by Plaintiff thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit. The court notes that on page 7 of the Magistrate

Judge's Report the word "shown" should be replaced by the word "pled" in the following sentence: "The Court finds that Plaintiff has *shown* no such conduct that would subject the County to liability under Section 1983." Subject to this change, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. It is, therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

SIGNED this 22nd day of March, 2007.


RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE